

AO 245B (Rev. 9/00) Judgment in a Criminal Case
Sheet 1

FILED

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

2009 SEP 30 AM 8:58

CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

v.

MIKHAIL M. TUKNOV JR.

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

DEPUTY

Case Number: 08CR3663-JAH

Michael Stephen Berg

Defendant's Attorney

REGISTRATION NO. 11530298

☐

THE DEFENDANT:

☒ pleaded guilty to count(s) one and forty-four of the forty-four count indictment.☐

was found guilty on count(s) _____

after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Count Number(s)</u>
18 USC 1029(a)(2), (b)(1)	DEBIT CARD FRAUD	1
18 USC 1956(h)	CONSPIRACY TO COMMIT MONEY LAUNDERING	44

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐

The defendant has been found not guilty on count(s) _____

☒Count(s) remaining _____is ☐ are ☒ dismissed on the motion of the United States.☒

Assessment: \$200.00

☒

No fine

☐

Property forfeited pursuant to order filed _____, included herein.

IT IS ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States Attorney of any material change in the defendant's economic circumstances.

September 24, 2009

Date of Imposition of Sentence

HON. JOHN A. HOUSTON

UNITED STATES DISTRICT JUDGE

08CR3663-JAH

DEFENDANT: MIKHAIL M. TUKNOV JR.

CASE NUMBER: **08CR3663-JAH****IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of

Ct1: TWENTY-EIGHT (28) MONTHS,

Ct44: TWENTY-EIGHT (28) MONTHS, concurrent to count one.

- ☐ Sentence imposed pursuant to Title 8 USC Section 1326(b).
- ☐ The court makes the following recommendations to the Bureau of Prisons:

- ☐ The defendant is remanded to the custody of the United States Marshal.
- ☐ The defendant shall surrender to the United States Marshal for this district:

☐ at _____ ☐ a.m. ☐ p.m. on _____ .
as notified by the United States Marshal.

- ☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

- ☐ before _____
- ☐ as notified by the United States Marshal.
- ☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____ , with a certified copy of this judgment.

UNITED STATES MARSHALBy _____
DEPUTY UNITED STATES MARSHAL**08CR3663-JAH**

DEFENDANT: MIKHAIL M. TUKNOV JR.
CASE NUMBER: 08CR3663-JAH

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of :
THREE (3) YEARS, concurrent as to counts 1 and 44.

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

For offenses committed on or after September 13, 1994:

The defendant shall not illegally possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter as determined by the court. Testing requirements will not exceed submission of more than 4 drug tests per month during the term of supervision, unless otherwise ordered by court.

- ☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- ☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
- ☒ The defendant shall cooperate in the collection of DNA as directed by the probation officer pursuant to 18 USC 3583(d).
- ☐ The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution obligation, it is a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in this judgment.

The defendant must comply with the standard conditions that have been adopted by this court. The defendant shall also comply with any special conditions imposed.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

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DEFENDANT: MIKHAIL M. TUKNOV JR.
CASE NUMBER: 08CR3663-JAH

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SPECIAL CONDITIONS OF SUPERVISION

- ☐ Submit person, residence, office or vehicle to a search, conducted by a United States Probation Officer at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release; failure to submit to a search may be grounds for revocation; the defendant shall warn any other residents that the premises may be subject to searches pursuant to this condition.
- ☒ If deported, excluded, or allowed to voluntarily return to country of origin, not reenter the United States illegally and report to the probation officer with 24 hours of any reentry to the United States; supervision waived upon deportation, exclusion or voluntary departure.
- ☐ Not transport, harbor, or assist undocumented aliens.
- ☐ Not associate with undocumented aliens or alien smugglers.
- ☐ Not reenter the United States illegally.
- ☐ Not enter the Republic of Mexico without written permission of the Court or probation officer.
- ☐ Report all vehicles owned or operated, or in which you have an interest, to the probation officer.
- ☐ Not possess any narcotic drug or controlled substance without a lawful medical prescription.
- ☐ Not associate with known users of, smugglers of, or dealers in narcotics, controlled substances, or dangerous drugs in any form.
- ☐ Participate in a program of mental health treatment as directed by the probation officer, take all medications as prescribed by a psychiatrist/physician, and not discontinue any medication without permission. The Court authorizes the release of the presentence report and available psychological evaluations to the mental health provider, as approved by the probation officer. The defendant may be required to contribute to the costs of services rendered in an amount to be determined by the probation officer, based on the defendant's ability to pay.
- ☐
- ☐ Participate in a mental health treatment program as directed by the probation office.
- ☒ Provide complete disclosure of personal and business financial records to the probation officer as requested.
- ☒ Be prohibited from opening checking accounts or incurring new credit charges or opening additional lines of credit without approval of the probation officer.
- ☐ Seek and maintain full time employment and/or schooling or a combination of both.
- ☐ Resolve all outstanding warrants within _____ days.
- ☐ Complete _____ hours of community service in a program approved by the probation officer within _____
- ☐ Reside in a Residential Reentry Center (RRC) as directed by the probation officer for a period of _____
- ☒ Consent to third party disclosure to any employer, or potential employer, concerning the conviction in this case and any restrictions that are imposed by the Court.
- ☐ Notify The US Attorneys Collection Unit of any assets in which you have an interest and any assets transferred within the last year and any assets transferred during the period of supervised release.
- ☐ Not engage in any form of telemarketing, as defined in 18 USC 2325, without the written permission of the probation officer.
- ☐ Comply with the conditions of the Home Confinement Program for a period of _____ months and remain at your residence except for activities or employment as approved by the court or probation officer. Wear an electronic monitoring device and follow procedures specified by the probation officer. Pay the total cost of electronic monitoring services, or a portion if deemed appropriate by the probation officer.
- ☐ Participate in a program of drug or alcohol abuse treatment, including urinalysis testing and counseling, as directed by the probation officer. The defendant may be required to contribute to the costs of services rendered in an amount to be determined by the probation officer, based on the defendant's ability to pay.

AO 245S Judgment in Criminal Case
Sheet 5 — Criminal Monetary Penalties

Judgment — Page 5 of 6

DEFENDANT: MIKHAIL M. TUKNOV JR.
CASE NUMBER: 08CR3663-JAH

RESTITUTION

The defendant shall pay restitution in the amount of \$371,504.40 unto the United States of America.

This sum shall be paid immediately.
 x as follows:

Pay restitution in the amount of \$371,504.40 through the Clerk, U.S. District Court, to the victims listed in attachment A to the plea agreement, and attached here, payable forthwith or through the Inmate Financial Responsibility Program at the rate of \$25.00 per quarter during the period of incarceration, with the payment of any balance to be made following release from prison at the rate of \$12,500 per year.

The Court has determined that the defendant does not have the ability to pay interest. It is ordered that:

 x The interest requirement is waived.

 The interest is modified as follows:

08CR3663-JAH

dollar_loss	bank	tin	address1	city	state	zip	phone1	phone2
\$1,895.39	1ST PACIFIC CREDIT UNION	941811134	PO BOX 1552	VALLEJO	CA	94590	8002736428	800-273-6428
\$2,081.25	ALLEGACY FEDERAL CREDIT UNION	566087383	1691 WESTBROOK PLAZA DRIVE	WINSTON SALEM	NC	27103	8004534270	800-282-7629
\$906.50	AMSOUTH BANK	630935103	1900 5th AVENUE NORTH	BIRMINGHAM	AL	35203	8004442867	800-785-7566
\$706.00	AUSTIN TELCO FEDERAL CREDIT UNION	741110192	8929 SHOAL CREEK BLVD	AUSTIN	TX	78757	8002521310	800-252-1310
\$10,709.00	BANK OF AMERICA, NATIONAL ASSOCIATION	941687655	PO BOX 37000	SAN FRANCISCO	CA	94137	8004321000	877-833-5617
\$404.00	BANK OF NORTH CAROLINA	561663149	831 JULIAN AVENUE	THOMASVILLE	NC	27360	3364769200	336-410-7317
\$1,411.00	BANK OF THE SIERRA	942431437	86 NORTH MAIN STREET	PORTERVILLE	CA	93257	8005548969	559-791-4480
\$1,207.00	BRANCH BANKING AND TRUST COMPANY	561074313	PO BOX 580364	CHARLOTTE	NC	28258	8002265228	800-682-6902
\$1,906.00	COMMUNITY - BANK OF NEVADA	880317251	1400 SOUTH RAINBOW BOULEVARD	LAS VEGAS	NV	89102	7028780700	800-927-0395
\$10,881.50	COMPASS BANK	581817946	24 GREENWAY PLAZA	HOUSTON	TX	77046	8002392265	800-239-5175
\$500.00	DESERT COMMUNITY BANK	953376749	12530 HESPERIA ROAD	VICTORVILLE	CA	92392	7602432140	760-243-2140
\$704.50	DESERT SCHOOLS FEDERAL CREDIT UNION	860096740	PO BOX 2945	PHOENIX	AZ	85062	6024334290	800-456-9171
\$201.50	ENSIGN FEDERAL CREDIT UNION	880089199	1300 W WARM SPRINGS RD	HENDERSON	NV	89014	8004424757	800-442-4757
\$1,064.50	EXTRACO BANKS, NATIONAL ASSOCIATION	740935612	18 SOUTH MAIN	TEMPLE	TX	76501	8008252115	254-773-2115
\$2,017.00	FIRST NORTHERN BANK OF DIXON	940475380	195 N. FIRST ST	DIXON	CA	95620	7076787864	
\$1,004.50	FORT SILL NATIONAL BANK	730541534	1647 RANDOLPH ROAD	FORT SILL	OK	73503	5803579880	512-458-2558
\$3,128.00	GREATER TEXAS FEDERAL CREDIT UNION	741197940	6411 NORTH LAMAR BLVD	AUSTIN	TX	78752	1007499732	614-248-0119
\$14,506.50	JPMORGAN CHASE BANK N.A. - DEBIT	134994650	1111 POLARIS PARKWAY	COLUMBUS	OH	43240	8772265663	888-322-3278
\$9,674.75	KEYPOINT CREDIT UNION	942600376	2805 BOWERS AVE	SANTA CLARA	CA	95051	4087314100	800-282-7629
\$405.25	MALAGA BANK SSB	330011033	2514 VIA TEJON	MODESTO	CA	95355	8004466273	800-245-4400
\$967.50	MOCSE CENTRAL VALLEY FEDERAL CREDIT UNION	941476759	3600 COFFEE ROAD	WEST JORDAN	UT	84084	8007484302	800-748-4302
\$404.00	MOUNTAIN AMERICA FEDERAL CREDIT UNION	870172956	7181 S CAMPUS VIEW	LAS VEGAS	NV	89114	8883827999	888-382-7999
\$7,232.00	NEVADA FEDERAL CREDIT UNION	880063564	2645 S. MOJAVE RD	SAN BERNARDINO	CA	92408	9254544000	925-454-4000
\$1,512.25	NORTON COMMUNITY CREDIT UNION	951442266	294 S. MEMORIAL DR	DUBLIN	CA	94568	8005624563	800-282-7629
\$400.00	OPERATING ENGINEERS LOCAL #3 FEDERAL CRED	946131870	6300 VILLAGE PARKWAY	WINSTON SALEM	NC	27105	8006260224	800-245-7728
\$140.00	PIEDMONT AVIATION CREDIT UNION	566048494	3810 N. Liberty St	REDWOOD SHORES	CA	94065	8887228601	800-326-7630
\$501.50	PROVIDENT CREDIT UNION	941482957	303 TWIN DOLPHIN DR	SACRAMENTO	CA	95814	9169215050	916-921-5050
\$1,090.65	SACRAMENTO CREDIT UNION	941530642	800 H STREET	SACRAMENTO	CA	95815	6503631725	650-363-1715
\$186.26	SACRAMENTO DISTRICT POSTAL EMPLOYEES CU	940823660	1485 RIVER PARK DR	REDWOOD CITY	CA	94063	8882227528	888-222-7528
\$1,695.67	SAN MATEO CREDIT UNION	941231186	525 MIDDLEFIELD RD	WINSTON SALEM	NC	27105	3367947842	336-794-7842
\$900.00	SARA LEE CREDIT UNION	560252055	5995 MUSEUM DR	LAS VEGAS	NV	89121	8665435202	866-543-5202
\$1,004.50	SILVER STATE SCHOOLS FAMILY CREDIT UNION	880062898	4221 S. MCLEOD	SUNNYDALE	CA	94089	8136217511	800-999-5887
\$926.00	SOUTHERN COMMUNITY BANK AND TRUST	561952620	PO BOX 26134	WINSTON SALEM	NC	27114	8003457183	800-345-7183
\$508.00	STAR ONE CREDIT UNION	948069237	STAR ONE CREDIT UNION	TAMPA	FL	33610	4084519111	800-553-0880
\$180.00	SUNCOAST SCHOOLS FEDERAL CREDIT UNION	590291451	6801 EAST HILLSBOROUGH AVENUE	TACOMA	WA	98466	8008391154	800-391-1154
\$1,618.00	TAPCO CREDIT UNION	910176216	6312 1ST ST W	SAN JOSE	CA	95131	9797979111	877-935-2637
\$4,831.00	TECHNOLOGY CREDIT UNION	941651781	2010 N 1ST STREET SUITE 305	LAKE JACKSON	TX	77566	8008778328	800-877-8328
\$3,301.49	TEXAS DOW EMPLOYEES CREDIT UNION	741260543	1001 FM 2004	BRYAN	TX	77802	8884848328	912-882-6554
\$1,511.50	THE FIRST NATIONAL BANK OF BRYAN	740531275	2807 S TEXAS AVE	VACAVILLE	CA	95688	800996395	801-487-8841
\$2,820.50	THE FIRST NATIONAL BANK OF BRYAN	941242831	ONE TRAVIS WAY	ST MARYS	UT	84115	8009224684	800-359-8977
\$804.50	UNITED 1ST FEDERAL CREDIT UNION	580597777	PO BOX 6150	SLC	UT	84115	8007387000	000-788-7000
\$101.50	UTAH CENTRAL CREDIT UNION	876119312	25 E 1700 SOUTH	CHARLOTTE	NC	28262	8008693557	800-869-3557
\$26,459.75	WACHOVIA BANK NATIONAL ASSOCIATION	221147033	1525 W T HARRIS BLVD NC-541	SEATTLE	WA	98101	8008481088	707-863-6011
\$23,850.04	WASHINGTON MUTUAL BANK	911660453	1201 THIRD AVENUE	PORTLAND	OR	97210	7027914777	702-791-4777
\$212,572.35	WELLS FARGO BANK IOWA, NATIONAL ASSOCIATION	941347393	2701 NW VAUGHN P6103-053	SAN RAFAEL	CA	94901	8006922274	800-692-2274
\$4,532.30	WESTAMERICA BANK	940474570	1108 FIFTH AVENUE	LAS VEGAS	NV	89153	8006922274	800-692-2274
\$1,670.50	WESTSTAR CREDIT UNION	880132649	PO BOX 94138	APPLE VALLEY	CA	55124	8664673776	800-778-0009
\$847.50	WINGS FINANCIAL FEDERAL CREDIT UNION	416028665	14985 GLAZIER AVE	OAKLAND	CA	55125	8887585349	800-748-4125
\$1,503.00	WORLD SAVINGS BANK FSB	222815289	1901 HARRISON ST	SALT LAKE CITY	UT	55126		
\$2,118.00	ZIONS FIRST NATIONAL BANK	870189025	1 SOUTH MAIN STREET					
\$371,504.40	Total Loss Sum							

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